

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	10/685,085	O'LENICK ET AL.
	Examiner Everett White	Art Unit 1623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to communications filed August 26, 2005.
2.  The allowed claim(s) is/are 1-3,5-11 and 15-17.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All b)  Some\* c)  None of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date 11/7/2005.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_

*[Handwritten signature]*  
TECHNICAL INVESTIGATOR  
SUPERVISORY EXAMINER  
U.S. PATENT & TRADEMARK OFFICE  
JULIA S. WILSON

### EXAMINER'S AMENDMENT

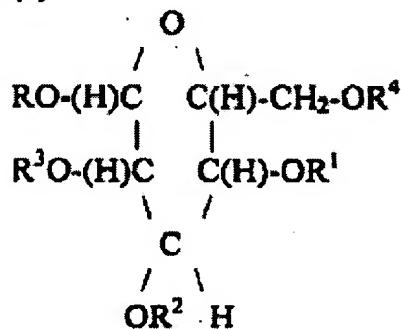
An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Anthony J. O'Lenick, Jr. on November 3, 2005.

The pending claims have been listed below to show the amendments agreed upon by Applicants representative and to include proper listing of the canceled claims.

**Claim 1 (amended). A surfactant composition which comprises a mixture of compounds conforming to the following structures:**

(a)



wherein;

R is alkyl having 8 to 22 carbon atoms;

R<sup>1</sup>, R<sup>2</sup>, R<sup>3</sup>, and R<sup>4</sup> are independently selected from the group consisting of:

-CH<sub>2</sub>-CH<sub>2</sub>-O-(CH<sub>2</sub>CH<sub>2</sub>O)<sub>a</sub>-(CH<sub>2</sub>CH(CH<sub>3</sub>)O)<sub>b</sub>-(CH<sub>2</sub>CH<sub>2</sub>O)<sub>c</sub>H ;

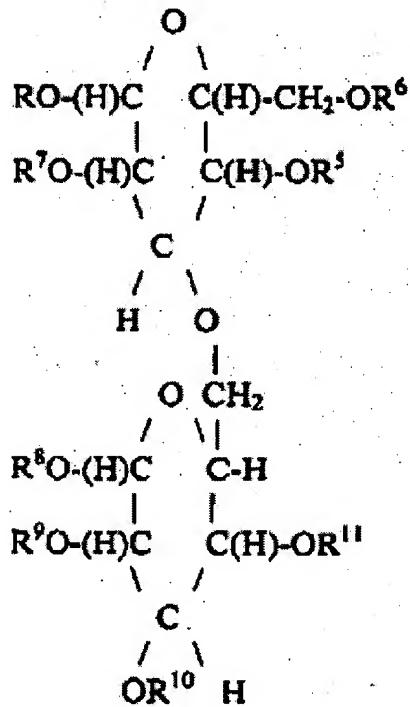
-CH<sub>2</sub>-CH-CH-O-(CH<sub>2</sub>CH<sub>2</sub>O)<sub>a</sub>-(CH<sub>2</sub>CH(CH<sub>3</sub>)O)<sub>b</sub>-(CH<sub>2</sub>CH<sub>2</sub>O)<sub>c</sub>H ;

                  |  
                  O-(CH<sub>2</sub>CH<sub>2</sub>O)<sub>a</sub>-(CH<sub>2</sub>CH(CH<sub>3</sub>)O)<sub>b</sub>-(CH<sub>2</sub>CH<sub>2</sub>O)<sub>c</sub>H

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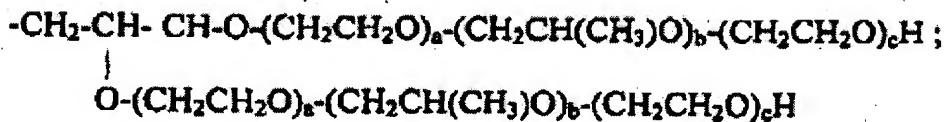
and H, with the proviso that R<sup>1</sup>, R<sup>2</sup>, R<sup>3</sup>, and R<sup>4</sup> are not all H;  
 wherein a, b and c are independently integers each ranging from 1 to 20.

(b)



wherein;

R is alkyl having 8 to 22 carbon atoms;

R<sup>5</sup>, R<sup>6</sup>, R<sup>7</sup>, R<sup>8</sup>; R<sup>9</sup>, R<sup>10</sup> and R<sup>11</sup> are independently selected from the group consisting of

and H, with the proviso that R<sup>5</sup>, R<sup>6</sup>, R<sup>7</sup>, R<sup>8</sup>, R<sup>9</sup>, R<sup>10</sup> and R<sup>11</sup> are not all H;  
 a, b and c are independently integers each ranging from 1 to 20.

**Claim 2 (amended).** A surfactant compositions of claim 1 wherein;

$R^5, R^6, R^7, R^8; R^9, R^{10}$  and  $R^{11}$  are independently selected from the group consisting of

$$\text{--CH}_2\text{--CH}_2\text{--O--}(\text{CH}_2\text{CH}_2\text{O})_a\text{--}(\text{CH}_2\text{CH}(\text{CH}_3)\text{O})_b\text{--}(\text{CH}_2\text{CH}_2\text{O})_c\text{--H ;}$$

and H, with the proviso that  $R^5, R^6, R^7, R^8, R^9, R^{10}$  and  $R^{11}$  are not all H;

a, b and c are independently integers each ranging from 1 to 20.

**Claim 3 (amended).** A surfactant compositions of claim 1 wherein

$R^5, R^6, R^7, R^8; R^9, R^{10}$  and  $R^{11}$  are independently selected from the group consisting of

$$\begin{array}{c}
 -\text{CH}_2\text{-CH-CH-O-(CH}_2\text{CH}_2\text{O)}_a\text{-(CH}_2\text{CH(CH}_3\text{)O)}_b\text{-(CH}_2\text{CH}_2\text{O)}_c\text{H} ; \\
 | \\
 \text{O-(CH}_2\text{CH}_2\text{O)}_a\text{-(CH}_2\text{CH(CH}_3\text{)O)}_b\text{-(CH}_2\text{CH}_2\text{O)}_c\text{H}
 \end{array}$$

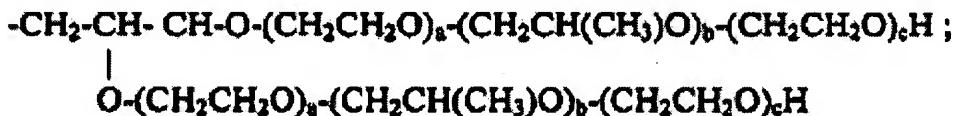
and H, with the proviso that  $R^5, R^6, R^7, R^8, R^9, R^{10}$  and  $R^{11}$  are not all H;

a, b and c are independently integers each ranging from 1 to 20.

**Claim 4 (cancel).**

**Claim 5 (amended). A surfactant compositions of claim 1 wherein**

**$R^1, R^2, R^3$ , and  $R^4$  are independently selected from the group consisting of**



and H, with the proviso that  $R^1, R^2, R^3$ , and  $R^4$  are not all H.

**Claim 6 (original). A surfactant compositions of claim 2 wherein R is  $C_{12}H_{25}$ .**

**Claim 7 (original). A surfactant compositions of claim 2 wherein R is  $C_{10}H_{21}$ .**

**Claim 8 (original). A surfactant compositions of claim 2 wherein R is  $C_{22}H_{42}$ .**

**Claim 9 (original). A surfactant compositions of claim 3 wherein R is  $C_{12}H_{25}$ .**

**Claim 10 (original). A surfactant compositions of claim 3 wherein R is  $C_{10}H_{21}$ .**

**Claim 11 (original). A surfactant compositions of claim 3 wherein R is  $C_{22}H_{42}$ .**

**Claim 12 (cancel).**

**Claim 13 (cancel).**

**Claim 14 (cancel).**

**Claim 15 (original). A surfactant compositions of claim 5 wherein R is  $C_{12}H_{25}$ .**

**Claim 16 (original). A surfactant compositions of claim 5 wherein R is  $C_{10}H_{21}$ .**

**Claim 17 (original). A surfactant compositions of claim 5 wherein R is  $C_{22}H_{42}$ .**

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